

REMARKS

1. Reconsideration and further prosecution of the above-identified application are respectfully requested in view of the discussion that follows. Claims 1-32 are pending in this application. Claims 1-32 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Pat. No. 6,547,454 to Wickman et al. After a careful review of the claims, it has been concluded that the rejections are error and, consequently, the rejections are traversed.

2. Claims 1-32 have been rejected under 35 U.S.C. §102(e) as being anticipated by Wickman et al. In particular, the Examiner asserts that:

“Regarding claims 1, 8, 11, 20, 22, 26 and 28, Wickman et al. disclose (Figs. 1-10) an apparatus and a method of aligning an optical array with a substrate comprising steps of aligning the substrate (5) with a set of alignment structures on an aligning fixture (23); transmitting a plurality of optical signals from the fixture through the aligned substrate (abstract, lines 1-5 and column 1, lines 52-62); determining a location of the transmitted optical signals (25); determining a location of the optical array (8) and aligning the optical array to the substrate based upon the determined locations of the transmitted plurality of optical signals and optical array using a pick and place machine (column 2, lines 30-51 and column 3, lines 22-30); identifying first and second plurality of registration marks with first and second recognition modules and attaching the optical array to the substrate, such that the first plurality of registration marks of the optical array are located at a known distance from the second plurality of registration marks in the alignment fixture with respect to a plane created by the substrate (column 3, lines 11-22 and column 6, lines 42-53).”

It is noted first in this regard that Wickman et al. fails to provide any determination of a location of transmitted optical signals 25 as asserted by the Examiner. In fact, the transmitted optical signals 25 referred to by the Examiner are described simply as those signals transmitted through an already aligned converter assembly 31.

It is noted next that the Examiner's assertions with regard to Wickman et al. could not work as suggested by the Examiner. For example, the Examiner asserts that reference 23 defines an aligning fixture. The claims, on the other hand, are limited to the steps of “transmitting a plurality of optical signals from the fixture through the aligned substrate; determining a location

of the transmitted signals; determining a location of the optical array; and automatically aligning the optical array to the substrate based upon the determined locations of the transmitted plurality of optical signals and optical array using a pick and place machine". If the Examiner's fixture 23 were to transmit an optical signal, then the transmitted optical signals would necessarily have to originate from the Wickman et al. optical array 8. Since the Wickman et al. optical array 8 would be the source of the optical signals there would not be any step of "determining a location of the optical array" because the Wickman optical array 8 and the claimed optical array would be understood to be one and the same thing. Further, since the Wickman optical array 8 and the claimed optical array are the same thing there would be no step of "determining a location of the optical array; and automatically aligning the optical array to the substrate based upon the determined locations of the transmitted plurality of optical signals and optical array using a pick and place machine" since there would be action necessary (and no purpose served) in aligning an optical array with itself.

In this regard, the Wickman et al. alignment system works in a fundamentally different manner than that of the claimed invention. For example, under Wickman et al., "Alignment would be achieved . . . because gravity would cause the tapered post 6, 7 to slide down the tapered receptacle 9 until the post 6, 7 reaches the bottom of the receptacle 9 . . . When the post reaches the bottom of the receptacle 9, substantially complete alignment would be achieved" (Wickman, col. 5, lines 21-27). Since Wickman et al. relies upon posts 6, 7, receptacles 9 and gravity there would not be any determination of a location of an optical array and transmitted optical signals as under the claimed invention.

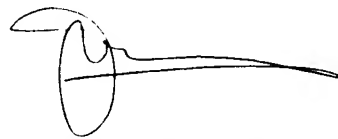
For any of the above reasons, Wickman et al. does not do exactly the same thing in exactly the same way. Since Wickman et al. does not do exactly the same thing in exactly the same way, the rejection is believed to be improper and should be withdrawn.

3. Allowance of claims 1-32, as now presented, is believed to be in order and such action is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

Respectfully submitted,

WELSH & KATZ, LTD.

By

A handwritten signature in black ink, appearing to read 'Jon P. Christensen', with a long horizontal flourish extending to the right.

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